

THE FISHERIES

AMERICAN RIGHTS vs. DOMINION LAWS.
BASIS OF THE AMERICAN CLAIMS—GREAT
BRITAIN PUNISHES YANKEES FOR REBEL-
LION BY STRIKING AT THE FISHERIES—
AMERICAN RIGHTS FULLY RECOGNIZED IN
THE FIRST TREATY WITH GREAT BRITAIN—
WHAT WE RELINQUISHED IN 1818—REC-
IPROCITY AND LICENSES.

(FROM OUR OWN CORRESPONDENT.)

WASHINGTON, D. C., May 9.—Second only in importance to the Alabama Claims, and similar ones growing out of the late war, is the adjustment of the Fisheries Question, intrusted to the Joint High Commission, even when viewed either as a pecuniary question or in the light of its influence on future international law. The mode of adjusting this question is of primary moment if it removes the most dangerous cause of war, and it becomes a guaranty against war, which, since 1815, has been so sufficient.

The control of the rich fishing grounds east of the mouth of the St. Lawrence River, and even the right to take fish there at all, have occasioned frequent international disputes almost continually since Columbus discovered the Western World. The Eiscayans and Normans were there as early as 1504; and in 1517, more than a century before the Pilgrims landed at Plymouth, at least 50 ships, chiefly French, were employed in the Newfoundland fishing business. In 1577 the French alone had 150 fishing vessels in American waters, and the interest became so great that it was placed under the protection of the Government. About 1645 England began to take notice of what has more and more since marked her dealings with foreign powers, deemed the fishermen of France "formidable rivals of her own," though the former had only a few ships and hundreds of men in the business almost a century before the English flag was known in those waters. Out of this rivalry grew disputes and bloodshed, and finally long and distressing wars, which at length resulted in the expulsion of the French. The brunt of all these battles was borne by the hardy New

English colonists, and on this fact was founded the right of American citizens to fish in Canadian waters; a right which, though often disputed, has finally been recognized in every treaty that has been negotiated on the subject, and the value of which has never been appreciated. New-England gave the Canadian Government, and with them the fisheries, the words of a great writer who treated of subjects more than a century ago, "it were worth more than all Canada."

THE REVOLUTION IN ENGLAND'S FIRST BLOW AIMED AT THE
YANKEE FISHERMEN.

One of the first blows struck at New-England by her mother country as a punishment for rebellion in 1775, was an attack on the fisheries of Massachusetts, New-Hampshire, Rhode Island, and Connecticut. The policy was to "starve these colonies into submission," and, as the trade arising from the cod-fishery alone furnished the New-Englanders nearly half of their remittances to England in payment for British manufactures and articles, Lord North moved to have the fisheries taken to him, and to restrict the trade and commerce of the Provinces of Massachusetts Bay and New-Hampshire, the Colonies of Connecticut and Rhode Island and Providence Plantations, in North America, to Great Britain, Ireland, and the British Islands in the West Indies; and to prohibit such Provinces and Colonies from carrying on any fishery on the banks of Newfoundland and other places therein to be mentioned." &c. And the patriots sought to return

1778, a plan was submitted to the French Court to conquer Newfoundland, Canada, and Nova Scotia, with the design of dividing these colonies between France and the United States; and thus, as the projectors hoped, to

No peace with Great Britain at first seemed possible, after the Revolution, which did not accord to Americans the right to fish on the Banks of Newfoundland, and the records of Congress between a February and August, 1779, are full of earnest and protracted debates upon the subject. During one of the discussions on a proposition to

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THE LIBERAL PROVISIONS OF THE FIRST TREATY.

he emphatically declared: "I will never put my *unconquered* articles without satisfaction about the fishery." The result was the following ample concessions in the third article of the treaty:

"It is agreed that the people of the United States shall continue to enjoy unmolested the right to take fish of every kind on the Grand Banks and on all the other banks of Newfoundland; also in the Gulf of St. Lawrence and at all other places in the sea where the inhabitants of New

countries used at any time heretofore to fish; and also that the inhabitants of the United States shall have liberty to take fish of every kind, on each part of the coast of Newfoundland an British Colonies said (not not to dry or cure the same on that island), and also on the coasts, bays, and creeks of all other of His Britannic Majesty's dominions in America; and that the American fishermen shall have the liberty to dry and cure fish in any of the unsettled bays, harbors, and creeks of Nova Scotia, Magdalen Islands, and Labrador, as long as the same shall remain unsettled; but not as the same, or either of them, shall be settled it shall not be

This was all that any American could ask, more than we have ever been allowed to enjoy. And yet it was no more than our fathers could justly claim, and they considered their right to it as good as their right to the soil.

of Massachusetts or Virginia. Had their descendants planted themselves as firmly on this extreme ground as did the American Commissioners in 1783 and ever insisted on the original article, England would have been obliged to concede it as she did then. When, therefore, the Canadians, with injured air, speak of the fisheries as

theirs, and look upon the Yankees as trespassers, we reply that the fisheries were once *ours* as much as theirs; that independence was not the only result of the Revolution; it confirmed to us the right to fish *everywhere* "in the sea," and "on the coasts, bays, and creeks of all of His Britannic Majesty's dominions," the only restriction

being that Americans were not allowed to dry and cure fish in the *settled* bays and creeks, if we have since relinquished any of those rights it has been in the interest of peace, or in exchange for what were deemed valuable considerations.

But, though England was obliged to yield the full claims of American fishermen, she did it with a bad grace and immediately set about devising means to make the rights thus allowed of the least possible value. The poorer qualities of the fish which New-Englanders took

on the banks were exported to the British West India Islands, where they were exchanged for sugar, rum and molasses. There was no other market for these grades, and fishing could not be made profitable without an opportunity to sell them. On the other hand, New England

was the best customer the British islanders had, and depended on the fish to pay for the purchases. Thus a trade was created which was profitable to both nations. But, in July, 1783, an order in council was promulgated